Remarks

Claim 6 remains rejected under 35 U.S.C. 101, as the "linking means" element has remained in the claim, although recited as being a data exchange bus. Responsive to the rejection, the claim has been amended to specifically recite that a data exchange bus is present for linking the video cameras with the processing unit. The term "linking means" has been eliminated from the claim. It is believed that the claim now does not encompass non-statutory natural phenomena.

Claims 1, 2 and 4-13 have been rejected as being unpatentable and obvious over Ponsot et al '538 in view of Konolige et al '207 (published application). Responsive to the rejection, Applicants have amended independent claims 1, 10 and 12 to clarify and further set forth further innovative elements of the present invention. It is submitted that as amended all claims are now allowable over the art of record.

The claims have been amended to recite that the monitoring system of the present invention employs a model based staircase pose estimater, and that the determined differences in a rectified stereo image pair are segmented into background and foreground elements. Support for the amendment may be found in the disclosure in the first paragraph on page 6.

As known to those skilled in the art, model based pose estimation utilizes parameters describing relative orientation and position, which are found through correspondence processing of a model and acquired data. Such a model based estimator system is neither taught nor suggested by the references of record.

Ponsot et al '538 discloses a monitoring system in which stereoscopic images are **not** acquired. While Konolige '207 discloses a stereoscopic and motion analysis system, which is asserted as being suitable for robotic vehicles, such an analysis method **does not** employ any model-based staircase pose estimator methodology. The acquired stereoscopic images and determined differences are **not** segmented into background and foreground elements, and certainly not into background and foreground elements corresponding respectively to the

escalator and obstacles and persons. Indeed, in the case of robotic vehicles no fixed background exists.

Konolige et al '207 teaches how robotic vehicles may be able to deal with stereoscopic images of rapidly varying fields, representing the field of vision of the vehicle as it moves. The present invention teaches how fixed cameras are capable of dealing with stereoscopic images of a slowly moving background (the escalator) upon which obstacles or persons (the foreground) are to be detected. The algorithms proposed and suggested by Konolige et al '207 provide no hint nor solution as to the problem solved by the present invention, and offer no suggestion of the use of a model based pose estimator.

Withdrawal of the rejections and passage to allowance is solicited.

Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2007

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